



THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX
Corporation Counsel

JESSE N. ZILINSKI
Assistant Corporation Counsel
Phone: (212) 356-2381
Fax: (212) 356-3509
Email: jzilinsk@law.nyc.gov

September 12, 2023

VIA ECF

Hon. Eric R. Komitee
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

RE: Saul Sabino v. City of New York, et al.,
20-CV-5861 (EK) (JRC)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Hon. Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, and the attorney representing defendant the City of New York ("City") in the above referenced matter. The City respectfully requests an extension of time to reply to Plaintiff's Opposition Memorandum, from September 12, 2023, to September 27, 2023.

This is the City's first request for an extension of time to file its reply papers. Due to the timing of this request, the City was unable to obtain Plaintiff's position.

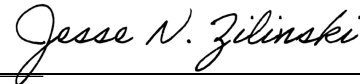
By way of brief background, on July 19, 2023, the Court issued a scheduling order, directing the: (i) defendants to answer or move to dismiss Plaintiff's operative complaint by August 7, 2023; (ii) Plaintiff to serve any opposition to the motion on or before September 5, 2023; and (iii) defendants to serve any reply to Plaintiff's opposition on or before September 12, 2023. (See Minute Entry dated July 19, 2023.)

On August 4, 2023, defendant Ogle filed his Motion to Dismiss. (See ECF No. 94.) On August 7, 2023, the City filed its Motion to Dismiss. (See ECF No. 98.)

Plaintiff's Opposition has not yet been filed on the electronic docket. Today, however, the undersigned received Plaintiff's Opposition Memorandum, dated September 1, 2023.¹ Therefore, defense counsel for the City requires additional time to respond to Plaintiff's Opposition and respectfully requests an extension of time to reply, from September 12, 2023, to September 27, 2023.

The City thanks the Court for its consideration.

Respectfully submitted,



Jesse N. Zilinski
Assistant Corporation Counsel
Special Federal Litigation Division

CC: **VIA FIRST CLASS MAIL**

Saul Sabino
DIN: 23B0946
Franklin Correctional Facility
62 Bare Hill Road
P.O. Box 10
Malone, NY 12953

VIA ECF

Andrew Blancato, Esq.
New York State Office of the Attorney General
28 Liberty Street, 18th Floor
New York, New York 10005
Attorney for James Ogle

¹ It appears that the Law Department's Communication Unit received Plaintiff's Opposition Memorandum just yesterday, September 11, 2023.